
**State Government Operations &
Accountability Committee**

HB 3229

Brief Description: Changing the population threshold for cities and counties eligible to use the design-build procedure.

Sponsors: Representatives Hunt, Alexander and Haler.

Brief Summary of Bill

- Authorizes cities with a population greater than 40,000 and counties with a population greater than 250,000 to use design-build procedures.

Hearing Date: 1/31/06

Staff: Marsha Reilly (786-7135).

Background:

Most public works projects are completed using the design-bid-build procedure, in which the architectural design phase of a project is separate from the construction phase. Under this process, an architectural firm is retained to design the facility and prepare construction documents. After the detailed design and construction documents are complete, the construction phase of the project is put out for competitive bid. A construction contract is then awarded to the lowest responsible bidder.

Alternative public works contracting procedures are allowable to certain, authorized entities when awarding contracts on public works. The two allowed procedures are the "design-build" and "general contractor/construction manager" (GCCM) procedures. The design-build procedure is a multi-step competitive process to award a contract for a single firm to design and construct a public facility or portion of a public facility that meets certain criteria. The GCCM procedure is a multi-step competitive process to award a contract for a single firm to provide services during the design phase of a public works project, that meets certain criteria, as well as acting as both the construction manager and general contractor during the construction phase of the project. The contractor guarantees the project budget, or maximum allowable construction costs.

The specific entities currently authorized to use alternative public works contracting procedures include:

- the Department of General Administration;

- the University of Washington;
- Washington State University;
- cities with over 70,000 people and public authorities chartered by those cities;
- counties with over 450,000 people;
- public utility districts with revenues from energy sales over \$23 million per year;
- port districts with total revenues over \$15 million per year;
- public hospital districts with total revenues over \$15 million per year for design-build, and projects approved by the Hospital District Project Review Board using the GC/CM ;
- school districts for projects approved by the School District Project Review Board; and
- the state ferry system for design-build.

Statutes relating to alternative public works expire June 30, 2007. During the 2005 legislative session, the Capital Projects Advisory Review Board was established to evaluate public capital projects construction processes and to advise the Legislature on policies related to alternative public works delivery methods.

Summary of Bill:

The population thresholds for cities and counties authorized to use design-build procedures are lowered. Cities with a population greater than 40,000 and counties with a population greater than 250,000 are authorized to use design-build procedures.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.